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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,867	06/04/2001	Emad M. Awadalla	10007051-1	4669

7590

11/17/2005

HEWLETT-PACKARD COMPANY
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EXAMINER

POLTORAK, PIOTR

ART UNIT

PAPER NUMBER

2134

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,867

Applicant(s)

AWADALLA, EMAD M.

Examiner

Peter Poltorak

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7, 8, 10-14 and 16-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 8, 10-14 and 16-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Amendment, and remarks therein, received on 8/22/05 have been entered and carefully considered.

Response to Amendment

2. In the amendment applicant argues a newly introduced limitation: "adding an unencrypted header to said encrypted file".
3. The current Office Action addresses the limitation, below.
4. Claims 1-5, 7-8, 10-14 and 16-29 have been examined.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 8 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claim 8 recites: "recognizing said flag on the printer by entering a decryption key into the printer that corresponds to said flag.
7. The limitation is not understood. It is not clear how a flag can be recognized by entering a decryption key.
8. For example, does the limitation require that a decryption key associated with the flag be placed into a device prior to receiving data so that the encryption key

associated with the flag is recognized? The examiner attempted to clarify the claim language in light of the specification. Both, the abstract of the invention and paragraph 55 in the specification discuss recognizing the flag but neither one of them allows clear interpretation of the claim language.

9. As a result the examiner is not certain of the metes and bounds of the limitations of claim 8.
10. Claim 16 presents a similar problem and as a result claim 16 is similarly rejected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1-5, 7-8, 10-14 and 16-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Matsui et al.* (U.S. Patent No. 6167514) in view of *Brewer et al.* (U.S. Patent No. 6922785).
12. As per claim 11 Matsui et al. teach "a wireless communication method for wirelessly transmitting and receiving data among ... electronic instruments, each of the electronic instruments having identification information and a secret algorithm". Matsui et al. teach "a conversion/transmission step in which one of the two electronic instruments converts data to be transmitted by using a secret algorithm of the one of

the two electronic instruments ... and sends the converted data to the other electronic instrument" (*Matsui et al.*, pg. 1 line 53 col. 2 line 4).

13. This reads on: "encrypting a file to be transmitted by the first device"

14. Furthermore, *Matsui et al.* teach "a reception/reconversion step in which the other electronic instrument receives and reconverts the converted data by using a secret algorithm of the other electronic instrument" (col. 2 lines 5-9).

15. This reads on: "transmitting said file from the first device to the second device".

16. As shown in Fig. 1, *Matsui et al.*'s teaching addresses a computer communicating with a printer.

17. *Matsui et al.* do not explicitly teach converting a file for printing to a printer description language format.

However, converting a file for printing to a printer description language is old and well-known in the art as illustrated by *Newton* (*Newton's Telecom Dictionary: PCL pg. 600, Postscript pg. 626 etc.*). One of ordinary skill in the art at the time of applicant's invention would have been motivated to convert a file for printing to a printer description language in order to communicate a print job to a variety of printers, including laser printers.

18. *Matsui et al.* also do not explicitly teach adding an unencrypted header to said encrypted file; providing an identifier in said header that provides an indication of an algorithm that was used to encrypt said file; and transmitting said file from the first device to the second device.

19. *Brewer et al.* teach encrypting data exchanged between network nodes (*Brewer et al., Abstract*). *Brewer et al.* teach plurality of encryption algorithms (*col. 4 lines 55-60*) and an encryption flag placed in a header that indicates the type of encryption (*col. 6 lines 13-16*).

20. The header in *Brewer et al.*'s invention is unencrypted (*Fig. 6 and col. 5 lines 43-52*).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to allow for implementation plurality of encryption algorithm in *Matsui et al.*'s invention as taught by *Brewer et al.* One of ordinary skill in the art would have been motivated to perform such a modification in order to accommodate clients with various encryption schemes.

21. Keeping the header unencrypted would be implicit. The printer must know what algorithm is used in the encryption process in order to decrypt the received data.

22. As per claims 5, 7-8 and 10 the identifier in a header as taught by *Brewer et al.* reads on a flag. The limitation that the flag is recognizable solely by the printer identifying an encryption algorithm used in the encrypting and is obvious.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to configure the printer to recognize the flag. One of ordinary skill in the art would have been motivated to perform such a modification in order to be capable of decrypting the encrypted file presented for printing.

23. Claims 11-14 and 16-29 are substantially equivalent to claims 1-3, 5, 7-8 and 10; therefore claims 11-14 and 16-29 are similarly rejected.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Poltorak whose telephone number is (571) 272-3840. The examiner can normally be reached Monday through Thursday from 9:00 a.m. to 4:00 p.m. and alternate Fridays from 9:00 a.m. to 3:30 p.m.

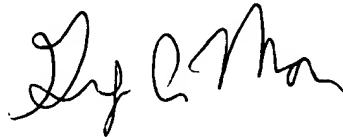
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (571) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Signature

11/13/05

Date



GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100